

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James G. Blakely,)	C/A No. 5:12-410-RMG-KDW
a.k.a. James Gatewood Blakely,)	
a.k.a. Jimmy G. Blakely,)	
)	
Plaintiff,)	ORDER
)	
v.)	
)	
Michael McCall; D. Bush; S. Clayton; M.)	
Snyder; A. Enloe; Ms. Loew; Mr. Olsen; Ann)	
Hallman; David M. Tatarsky; Robert Wards;)	
Williams Byars, Jr.,)	
)	
Defendants.)	
)	

This is a civil action filed by a state prisoner proceeding *pro se* and *in forma pauperis*. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the undersigned United States Magistrate Judge.

By Order dated March 14, 2013, ECF No. 55, United States District Judge Richard M. Gergel adopted the undersigned's Report and Recommendation entered in this case on May 10, 2012, ECF No. 14, except as to Plaintiff's retaliation claim. Plaintiff's claims for obstruction of justice, denial of due process and equal protection, and cruel and unusual punishment have been summarily dismissed. Plaintiff's deliberate indifference claim against Defendant Nurse Enlow (who has already been served in this case), and Plaintiff's retaliation claim against Defendants Michael McCall, D. Bush, S. Clayton, M. Snyder, Ms. Loew, Mr. Olsen, Ann Hallman, David M. Tatarsky, Robert Wards, and William Byars, Jr. (who have not been served in this case) remain. Judge Gergel's Order directs that Plaintiff's Complaint be served on the remaining Defendants.

Unless the formal issuance of process and personal service for the remaining Defendants is waived, this case will necessarily be delayed and require additional expenditure of Court resources through the time and effort required to enlist the assistance of the United States Marshals Service to personally serve the remaining Defendants. Such delay and expenditure of resources would be reduced if the Defendants' counsel, Steven M. Pruitt, can waive formal service of process on behalf of the Defendants.

TO DEFENSE COUNSEL STEVEN M. PRUITT:

Counsel for Defendants, Mr. Pruitt, is granted seven (7) days, March 22, 2013, in which to file a notice with the Court indicating whether or not he can and will waive formal service of process

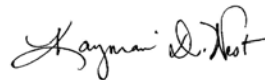
on behalf of Defendants Michael McCall, D. Bush, S. Clayton, M. Snyder, Ms. Loew, Mr. Olsen, Ann Hallman, David M. Tatarsky, Robert Wards, and William Byars, Jr.

TO THE CLERK OF COURT:

The Clerk of Court is directed that, if Defendants' counsel, Mr. Pruitt, files a notice indicating that service of process is waived on behalf of Defendants Michael McCall, D. Bush, S. Clayton, M. Snyder, Ms. Loew, Mr. Olsen, Ann Hallman, David M. Tatarsky, Robert Wards, and William Byars, Jr., then this case shall proceed in the usual course.

However, if Defendants' counsel, Mr. Pruitt, files a notice indicating that he *cannot and does not* waive formal issuance of process and service on the Defendants, then this case should be returned to the undersigned United States Magistrate Judge for further consideration.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Kaymani D. West". The signature is fluid and cursive, with the first name being the most prominent.

March 15, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge